



#3/AJH
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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

EDWARD GREEN ET AL.

SERIAL NO: 09/754,083

ATTY DKT NO.: 0487.00007

FILED: JANUARY 5, 2001

ATTN: BOX MISSING PARTS

FOR: ETHANOL PRODUCTION

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents

Washington, D.C. 20231

Dear Sir:

Please amend the above-identified application as follows.

In the Claims:

Please amend claims 3-5, 7, 10, 11, 13 and 17 as follows.

3. A Gram-positive bacterium according to claim 1 wherein the bacterium is a thermophile

4. A Gram-positive bacterium according to claim 2 wherein the *Bacillus* is selected from *B. stearothermophilus*; *B. calvodex*; *B. caldotenax*, *B. thermoglucosidasius*, *B. coagulans*, *B. licheniformis*, *B. thermodenitrificans*, and *B. caldolyticus*.

5. A Gram-positive bacterium according to claim 1 wherein the gene encoding lactate dehydrogenase expression has been inactivated

7. A Gram-positive bacterium according to claim 1 in which the heterologous gene is from *Zymomonas* sp or from *Saccharomyces cerevisiae*.